

10/572976

1AP20 Rec'd PCT/PTO 22 MAR 2006

Docket No.: 6550-000086/US/NPB
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John W. FROST

Application No.: National Phase of
PCT/US2004/031417

Confirmation No.: N/A

Filed: Concurrently Herewith

Art Unit: N/A

For: METHODS AND MATERIALS FOR THE
PRODUCTION OF SHIKIMIC ACID

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

All of the enclosed references are in the English language.

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S.

Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 08-0750, under Order No. 6550-000086/US/NPB.

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APR 20 2006
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Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0750, under Order No. 6550-000086/US/NPB from which the undersigned is authorized to draw.

Dated: March 22, 2006

Respectfully submitted,

By 

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1AP20R0301 CT/PTO 22 MAR 2006

PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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|---|---|--------------------------|-----------------------|------------------------|--------------------|
| Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | Complete if Known | | | |
| | | Application Number | Not Yet Assigned | | |
| | | Filing Date | Concurrently Herewith | | |
| | | First Named Inventor | John W. Frost | | |
| | | Art Unit | N/A | | |
| | | Examiner Name | Not Yet Assigned | | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 6550-000086/US/NPB |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | AA* | US-6,472,169-B1 | 10-29-2002 | Frost et al. | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | | |
|---------------------------------|-----------------------|--|----------------|--|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² | |
| | CA | DATABASE EMBL 'Online! EBI; 1 October 2002 (2002-10-01), "4-Hydroxy-2-oxoglutarate aldolase/2-dehydro-3-deoxyphosphogluconate aldolase (dgoA)": XP002317419 retrieved from EMBL accession no. Q8PLM9 (see sequence) | | |
| | CB | DA SILVA A C R et al: "Comparison of the genomes of two Xanthomonas pathogens with differing host specificities" NATURE (London), Vol. 417, No. 6887, 23 May 2002 (2002-05-23), pages 459-463, XP002317414; ISSN: 0028-0836 | | |
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| | CE | PAULSEN IAN T et al: "The Brucella suis genome reveals fundamental similarities between animal and plant pathogens and symbionts" PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF THE UNITED STATES OF AMERICA, Vol. 99, No. 20, 1 October 2002 (2002-10-01), pages 13148-13153, XP002317415; ISSN: 0027-8424 | | |
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| | CG | SALANOUBAT M et al: "Genome sequence of the plant pathogen Ralstonia solanacearum", NATURE (London), Vol. 415, No. 6871, 31 January 2002 (2002-01-31), pages 497-502, XP002317416; ISSN: 0028-0836 | | |
| | CH | RAN NINQING et al: "Creation of a shikimate pathway variant." JOURNAL OF THE AMERICAN CHEMICAL SOCIETY. 9 Jun 2004, Vol. 126, No. 22, 9 June 2004 (2004-06-09), pages 6856-6857, XP002317417; ISSN: 0002-7863 | | |
| | CI | KNAGGS A R: "The biosynthesis of shikimate metabolites." NATURAL PRODUCT REPORTS. Jun 2001, Vol. 18, No. 3, June 2001 (2001-06), pages 334-355, XP002317418; ISSN: 0265-0568 | | |
| | | International Search Report and Written Opinion of ISA for PCT/US2004/031417, dated 02/11/2005; ISA/EPO | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

MLF/smc